

House File 873 - Reprinted

HOUSE FILE _____
BY GIPP and MURPHY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to recommendations of the education subcommittee
2 of the governor's committee on local governance by providing
3 for the development of a school sharing and efficiencies in
4 operations process, the referral of certain issues to
5 legislative standing committees for further review and
6 consideration, and a study by the department of education
7 concerning certain barriers to effective structure and
8 delivery models that promote optimum student achievement.
9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
10 TLSB 3547YH 81
11 kh/cf/24

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DIVISION I

1 1 Section 1. SCHOOL SHARING AND EFFICIENCIES IN OPERATIONS
2 2 PROCESS.

1 3 1. Not later than September 15, 2005, the department of
1 4 education and the boards of directors of the area education
1 5 agencies shall, in consultation with other appropriate
1 6 education stakeholders as necessary, develop a uniform
1 7 structured conversation process, including specific categories
1 8 of discussion. The purpose of the process shall be to
1 9 facilitate discussion between school district leaders in order
1 10 to support rigorous and relevant student programming and
1 11 efforts to increase student achievement through identification
1 12 and realization of sharing and efficiency of operations
1 13 efforts with other school districts, educational partners, and
1 14 governmental subdivisions, which will result in reductions in
1 15 the costs of operations and create additional resource
1 16 availability. The process shall provide a framework for a
1 17 consistent regional plan for use by area education agencies
1 18 pursuant to subsection 3.

1 19 2. The department of education and the area education
1 20 agencies shall facilitate a series of meetings, using the
1 21 process developed pursuant to subsection 1, between area
1 22 education agency personnel and school district leaders from
1 23 every school district located within each area education
1 24 agency. Prior to the initial meeting, which shall be held not
1 25 later than January 13, 2006, school district leaders
1 26 designated to attend the meeting shall identify areas of
1 27 potential sharing and efficiency, efforts that are already
1 28 occurring, and existing barriers to increased sharing and
1 29 efficiency of operations. As meeting facilitators, area
1 30 education agency personnel may provide at the initial meeting
1 31 a list of available efficiency services, which may include
1 32 those services offered by the area education agencies. The
1 33 process shall include a discussion regarding the use of the
1 34 additional resources, made available through the proposed
2 1 sharing or efficiency efforts, in enhancing program
2 2 implementation and student achievement. After the initial
2 3 meeting, other appropriate education stakeholders and
2 4 representatives from governmental subdivisions or private
2 5 entities may be consulted or invited to participate in future
2 6 meetings. Discussion topics at the series of meetings shall
2 7 include, but not be limited to, operational efficiencies,
2 8 shared programming, transportation sharing, expansion of area
2 9 education agency cooperatives, common schedules for school
2 10 districts and community colleges, energy, insurance, effective
2 11 structure and delivery models that promote optimum student
2 12 achievement, graduation requirements, and a rigorous, relevant
2 13 curriculum.

2 14 3. At the conclusion of the process, each area education

2 15 agency shall develop a regional plan that identifies, using
2 16 the consistent regional plan framework developed under
2 17 subsection 1, the existing, new, or expanded opportunities for
2 18 school district sharing or efficiency of operations determined
2 19 as a result of completing the uniform structured conversation
2 20 process. The plan shall provide for long-term measures that
2 21 identify money or time saved as a result of the sharing or
2 22 efficiency of operations efforts, list the cooperative
2 23 partners in specific sharing or efficiency of operations
2 24 efforts, describe effective structure and delivery models that
2 25 promote optimum student achievement, and include provisions
2 26 for making educational stakeholders aware of the sharing and
2 27 efficiency in operations opportunities available in each
2 28 region. Each area education agency shall submit its plan to
2 29 the department of education not later than June 1, 2006.

2 30 4. The department of education shall compile and review
2 31 the plans submitted by the area education agencies pursuant to
2 32 subsection 3; identify barriers to potential sharing and
2 33 efficiency in operations efforts; recommend a timeline for
2 34 implementation of sharing and efficiency of operations efforts
2 35 and penalties related to a reduction in funding for
3 1 noncompliance with the implementation of sharing and
3 2 efficiency of operations efforts, and submit its findings and
3 3 recommendations to the general assembly not later than January
3 4 1, 2007.

3 5 5. For purposes of this section, "school district leaders"
3 6 includes superintendents, administrators, central office
3 7 staff, educators, and school board members, though a school
3 8 district may designate one school district leader to represent
3 9 the school district regularly at the meetings held pursuant to
3 10 subsection 2.

3 11 DIVISION II

3 12 STANDING COMMITTEE ISSUE REFERRALS

3 13 Sec. 2. GOVERNOR'S COMMITTEE ON LOCAL GOVERNANCE ==
3 14 EDUCATION SUBCOMMITTEE RECOMMENDATIONS == STANDING COMMITTEE
3 15 REFERRAL.

3 16 1. The following recommendations of the education
3 17 subcommittee of the governor's committee on local governance
3 18 are referred to the standing committees on education in the
3 19 senate and the house of representatives for further review and
3 20 consideration:

3 21 a. Eliminate or modify the rule of statutory construction
3 22 commonly referred to as "Dillon's rule" as it applies to
3 23 school districts, pursuant to a constitutional amendment,
3 24 resulting in increased school district home rule authority and
3 25 power not inconsistent with the laws of the general assembly,
3 26 to be innovative in providing program supports and eliminating
3 27 barriers to school district collaboration and innovation.

3 28 b. Convert statutory requirements relating to the required
3 29 minimum number of days of classroom instruction per school
3 30 year to a required minimum number of hours of direct classroom
3 31 instruction per school year, at least equivalent to the
3 32 current number of hours of classroom instruction provided by a
3 33 school district, in order to encourage more creativity and
3 34 flexibility in the delivery of instruction.

3 35 c. Evaluate the impact of combining the funding sources
4 1 for phase I and phase II of the educational excellence
4 2 program.

4 3 2. The following recommendations of the education
4 4 subcommittee of the governor's committee on local governance
4 5 are referred to the standing committees on ways and means in
4 6 the senate and the house of representatives for further review
4 7 and consideration:

4 8 a. Consolidate existing local school district property tax
4 9 and income surtax levies into two primary property tax levies,
4 10 one board-approved and one voter-approved, in order to
4 11 increase flexibility and maintain and expand current areas of
4 12 levy coverage.

4 13 b. Examine the impact of the development of a statewide
4 14 local option sales tax for school infrastructure, including
4 15 replacement of the five hundred seventy-five dollar statewide
4 16 tax revenue per student calculation with a statewide rolling
4 17 average calculation and establishment of a hold harmless
4 18 provision for districts experiencing a tax increase as a
4 19 result of legislation.

4 20 c. Include school districts in tax increment financing
4 21 approval requirements.

4 22 DIVISION III

4 23 SHARED ACTIVITIES AND ATHLETIC PROGRAMS STUDY

4 24 Sec. 3. GOVERNOR'S COMMITTEE ON LOCAL GOVERNANCE ==
4 25 EDUCATION SUBCOMMITTEE RECOMMENDATIONS == SHARED ACTIVITIES

4 26 AND ATHLETIC PROGRAMS STUDY. The department of education, in
4 27 collaboration with education stakeholder groups,
4 28 organizations, associations, and parent organizations, to be
4 29 determined by the department, shall conduct a study and review
4 30 of existing regulations relating to shared activities and
4 31 athletic programs, and the impact of such regulations on the
4 32 ability of school districts to achieve effective structure and
4 33 delivery models that promote optimum student achievement. The
4 34 department shall submit a report of its findings, containing
4 35 recommendations and a proposed timeline for implementation, to
5 1 the members of the standing committees on education in the
5 2 senate and the house of representatives by December 1, 2005.
5 3 HF 873
5 4 kh:nh/es/25